The present invention will be described in further detail with reference to the accompanying drawings, in which:

Figure 1, is an illustration of the portable data medium according to one aspect of the present invention;

Figure 2, is an illustration of the semiconductor module containing microprocessor, memory and antenna interface;

Figure 3(a), is an illustration of the data input/data output unit operating in contacted fashion; and

Figure 3(b), is an illustration of the data input/data output operating in contactless fashion.

Detailed Description of the Invention--.

Page 11, after line 5, please insert the following paragraph:

--The foregoing description of a preferred embodiment of the invention has been presented for purposes of illustration and description. It is not intended to be exhaustive or to limit the invention to the precise form disclosed, and modifications and variations are possible in light of the above teachings or may be acquired for practice of the invention. The embodiment was chosen and described in order to explain the principles of the invention and its practical application to enable one skilled in the art to utilize the invention in various embodiments and with various modifications as are suited to the particular use contemplated. It is intended that the scope of the invention be defined by the claims appended hereto, and their equivalents.--

IN THE CLAIMS:

Please cancel claim 21 without prejudice or disclaimer.

Please amend the claims by replacing the indicated claims with the following clean version. (See **Attachment B** for the marked up version of the amended claims.)

13.   (Amended) A portable microprocessor-assisted data medium able to be operated in both contacted and contactless fashion, comprising:

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a structure for carrying out a contacted mode, in which the portable data medium and a first type data input/data output unit transmit data to each other in a contacted fashion;

a structure for carrying out a contactless mode, in which the portable data medium and a second type data input/data output unit transmit data to each other in a contactless fashion; and

wherein said portable data medium has at least one memory divided into various memory areas, such that said portable data medium stores at least one access condition for at least one memory area, said access condition defines the condition under which access to said one memory area is permitted, and wherein said portable data medium stores at least one data transmission-specific access condition for said one memory area, said data transmission specific access condition defines the basis of the type of data transmission between the portable data medium and the data input/data output units and the condition under which access to said one memory area is permitted,

wherein the portable data medium is designed such that the data transmission-specific access condition can be input into a freely programmable nonvolatile memory in the portable data medium by authorized agencies using an item of secret information,

wherein the portable data medium is designed to carry out data transmission between the portable microprocessor-assisted data medium and either or both of the first type data input/data output unit operating in a contacted fashion and the second type data input/data output unit operating in a contactless fashion,

wherein, before said one memory area is accessed by an access command transmitted by one of the data input/data output units, the portable data medium itself uses a checking program stored in the portable data medium to read the data transmission-specific access condition associated with said one memory area and to check, on the basis of the data transmission-specific access condition, whether access by the access command is permitted for a particular type of a current data transmission, and

wherein the access command is executed only if the result of the check is that access by the access command is permitted

20.   (Amended) The portable microprocessor-assisted data medium as defined in claim 13, wherein, for at least one memory area and for at least one access type, one data transmission-specific access condition is provided for the contacted mode and one data transmission-specific access condition is provided for the contactless mode.

24.   (Amended) A method for carrying out communication between a portable microprocessor-assisted data medium and a data input/data output unit operating in contacted fashion or a data input/data output unit operating in contactless fashion, comprising the steps of:

dividing at least one memory contained in the portable data medium, into various memory areas;

storing in one of said memory areas contained in said portable data medium at least one data transmission-specific access condition, said access condition defining the condition under which access to said one of said memory areas is permitted and determining access to said one of said memory areas based on a type of data transmission between the portable data medium and the data input/data output units; and

checking by the portable data medium using a checking program stored in the portable data medium to determine, before said one of said memory areas is accessed by an access command transmitted by one of the data input/data output units, whether, in consideration of the data transmission-specific access condition, the access command is permitted given a particular current type of data transmission; and

executing the access command only if the result of the check is that access by the access command is permitted.